

109TH CONGRESS  
2D SESSION

# S. 3489

To provide loans and grants for fire sprinkler retrofitting in nursing facilities.

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## IN THE SENATE OF THE UNITED STATES

JUNE 9, 2006

Mr. DODD (for himself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To provide loans and grants for fire sprinkler retrofitting  
in nursing facilities.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE .**

4       This Act may be cited as the “Nursing Home Fire  
5       Safety Act of 2006”.

6       **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) An estimated 1,500,000 Americans reside in  
9       approximately 16,300 nursing facilities nationwide,

1 an estimated 20 to 30 percent of which lack an  
2 automatic fire sprinkler system.

3 (2) In a July 2004 report, the Government Ac-  
4 countability Office found that “the substantial loss  
5 of life in [recent nursing home] fires could have been  
6 reduced or eliminated by the presence of properly  
7 functioning automatic sprinkler systems” and that  
8 “Federal oversight of nursing home compliance with  
9 fire safety standards is inadequate”.

10 (3) Many nursing facilities lack the financial  
11 capital to install sprinklers on their own and must  
12 consider closure as an alternative to taking on large  
13 loans or other financing options in order to install  
14 sprinklers.

15 (4) Recognizing that automatic fire sprinkler  
16 systems greatly improve the chances of survival for  
17 older adults in the event of a fire, the National Fire  
18 Protection Association, with the support of the  
19 American Health Care Association, the fire safety  
20 community, and the nursing facility profession, re-  
21 cently issued the 2006 edition of the Life Safety  
22 Code which requires automatic sprinklers in all ex-  
23 isting nursing facilities.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that—

1           (1) within 5 years, every nursing facility in  
2       America should be equipped with automatic fire  
3       sprinklers in order to ensure patient, resident, and  
4       staff safety;

5           (2) the Centers for Medicare & Medicaid Serv-  
6       ices (CMS) should quickly adopt the 2006 edition of  
7       the Life Safety Code, recently issued by the National  
8       Fire Protection Association with the support of the  
9       nursing home industry, which includes the require-  
10      ment that all nursing facilities be fully sprinklered;  
11      and

12          (3) the Centers for Medicare & Medicaid Serv-  
13      ices, in collaboration with Congress, should take into  
14      consideration the costs of retrofitting existing nurs-  
15      ing home facilities and commit itself to providing fa-  
16      cilities with the critical financial resources necessary  
17      to ensure the speedy and full installation of life sav-  
18      ing sprinkler systems.

19   **SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.**

20          (a) **AUTHORITY.**—Not later than 120 days after the  
21      date of enactment of this Act, the Secretary of Health and  
22      Human Services shall establish a program of direct loans  
23      to existing nursing facilities to finance retrofitting the fa-  
24      cilities with an automatic fire sprinkler system. Such loans

1 shall be made under terms and conditions specified by the  
2 Secretary.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out this section  
5 such sums as may be necessary for each of fiscal years  
6 2007 through 2011.

7 **SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.**

8 (a) AUTHORITY.—Not later than 120 days after the  
9 date of enactment of this Act, the Secretary of Health and  
10 Human Services shall establish a program to award grants  
11 to nursing facilities for the purposes of retrofitting them  
12 with an automatic fire sprinkler system. Such grants shall  
13 be awarded under terms and conditions specified by the  
14 Secretary.

15 (b) PRIORITY.—In awarding grants under this sec-  
16 tion, the Secretary shall give a priority to applications that  
17 demonstrate a need or hardship. In determining hardship,  
18 the Secretary may take into account factors such as the  
19 number of residents who are entitled to or enrolled in the  
20 medicare program under title 18 of the Social Security  
21 Act (42 U.S.C. 1395 et seq.) or receiving assistance under  
22 the medicaid program under title 19 of such Act (42  
23 U.S.C. 1396 et seq.), the age and condition of the facility,  
24 and the need for nursing facility beds in the community  
25 involved.

1       (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 such sums as may be necessary for each of fiscal years  
4 2007 through 2011.

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